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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,157	11/18/2003	Anthony E. Faltesek	90288	5301

24628 7590 02/27/2007
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EXAMINER

LEE, PING

ART UNIT	PAPER NUMBER
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2615

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/716,157

Applicant(s)

FALTESEK ET AL.

Examiner

Ping Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11,14-16 and 18-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11,14-16,18-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

2. Claim 5 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. The subject matter specified in claim 5 is the duplicate of claim 2. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 103

3. Claims 1, 2, 4-6, 9-11, 18, 25, 27 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori (US 4,851,823) in view of Buil et al (hereafter Buil) (DE 3721414).

Regarding claims 1, 2, 4-6, 25, 27 and 33, Mori discloses a system comprising:
a plurality of audio modules ("I", located at each room) including at least one audio output transducer (2) and at least one audio input transducer (3), a common control unit ("II"),
an output device (12) and an input device (11).

Mori fails to show at least one circuitry or software to automatically analyze audio received at the control unit to establish if an alarm condition is present in the vicinity of

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at least one of the modules. Mori teaches a general fire detector to determine that a fire has occurred. One skilled in the art would have expected that any specific type of fire detector could be used for Mori without generating any unexpected result. Buil teaches a fire detector using an acoustic receiver to analysis the received audio signal to determine whether there is a fire. Thus, it would have been obvious to one of ordinary skill in the art to modify Mori by utilizing the fire detector and circuitry as taught in Buil in order to accurately determine the fire condition.

Regarding claim 9, according to the abstract, Buil teaches a thermal sensor.

Regarding claims 10 and 18, the abstract of Buil fails to disclose a software. Examiner takes Office Notice that it was notoriously well known to use a software for processing the signal from the thermal sensor and form thermal profile. Thus, it would have been obvious to one of ordinary skill in the art to modify Mori and Buil by utilizing a software for processing the signal in order to determine whether there is a fire.

Regarding claim 11, Mori uses lamp to indicate the location.

4. Claims 7, 8, 14, 16, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Buil as applied to claims 1, 4, 11 and 25 above, and further in view of Markowitz et al (hereafter Markowitz) (US 6,295,346).

Regarding claims 7, 8, 14, 16, 28 and 29, Mori fails to show how to analyze audio using a circuitry or software. Markowitz teaches how to use speech recognition software to help identify the urgent message from a remote location. Thus, it would have been obvious to one of ordinary skill in the art to modify Mori and Buil by utilizing

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speech recognition software as taught in Markowitz in order to help the administer to correctly identify the message from the guests.

5. Claims 15, 20-24, 26 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Buil as applied to claim 1 above, and further in view of Saitta (US006898559B2).

Regarding claims 15 and 20-24, Mori fails to show the step of tracking received audio and displaying movement as an indicator of development of a fire. Saitta teaches that it is important to monitor (read as the claimed "tracking") the activity (this refers as the movement of the individual) and environment (this refers to the fire or other environmental condition; Buil uses audio signal to determine the fire condition), so the user can be guided to an exit in the shortest and safest path during emergency (col. 2, lines 31-46). A display is being used. Thus, it would have been obvious to one of ordinary skill in the art to further modify Mori and Buil by utilizing the display as taught in Saitta in order to help a person to quickly and safely escape from the fire.

6. Claims 15, 19-24, 26 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Buil as applied to claim 1 above, and further in view of O'Mahoney et al (hereafter O'Mahoney) (US 20030097188A1).

Regarding claims 15, 19 and 21, 26, Mori fails to show the step of tracking received audio and displaying movement as an indicator of development of a fire. O'Mahoney, shows, in Fig. 10, a display to display the time-based sequence of movement of the source of audio as an indicator of development of a fire (Buil teaches the use of audio signal to detect fire; if the fire is extinguished, there would not be any

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fire shown on the display; so the display displays time-based sequence of movement of the source of audio as an indicator of development of a fire). Thus, it would have been obvious to one of ordinary skill in the art to further modify Mori and Buil by utilizing the display as taught in O'Mahoney in order to allow the a person to visualize the location of the fire.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 11, 15, 18, 22 and 25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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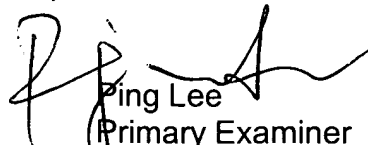
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ping Lee whose telephone number is 571-272-7522.

The examiner can normally be reached on Monday, Wednesday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ping Lee
Primary Examiner
Art Unit 2615

pwl